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FISCAL IMPACT REPORT

SPONSOR Park DATE TYPED 03/11/05 HB 103/aGUAC

SHORT TITLE Additional Sex Offender Board Member SB _____

ANALYST Emilee Ford

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
			NFI		

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Department of Public Safety (DPS)
 New Mexico Sentencing Commission (NMSC)
 Public Defender Department (PDD)

SUMMARY

Synopsis of GUAC Amendment

House Government and Urban Affairs Committee amendment to HB103 amends the legislation by adding the following language:

- *On Page 1, line 12:* after the word “BOARD” insert the language “; AUTHORIZING DESIGNEES FOR CERTAIN BOARD MEMBERS”.
- *On page 2, line 2:* after the word “general” insert the language “or designee”.
- *On page 2, line 5:* after the word “defender” insert the language “or designee”.
- *On page 2, line 8:* after the word “corrections” insert the language “or designee”.

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- *On page 2, line 9:* after the word “health” insert the language “or designee”.
- *On page 2, line 11:* after the word “families” insert the language “or designee”.
- *On page 2, line 12:* after the word “safety” insert the language “or designee”.

House Government and Urban Affairs Committee amendment to HB103 adds no appropriation to this legislation.

Synopsis of Original Bill

House Bill 103 adds the secretary of public safety to the sex offender management board.

Significant Issues

According to the New Mexico Sentencing Commission, the sex offender management board voted to add the secretary of public safety to the board. The New Mexico Sentencing Commission approved that recommendation.

The board, which is charged to study, review and make recommendations regarding the management of the state’s sex offenders, consists of 13 members who receive mileage reimbursement and per diem but no other compensation. The board is also charged with reviewing the provisions of the Sex Offender Notification and Registration Act and recommending changes, if needed.

The New Mexico Sentencing Commission, Department of Public Safety, and Public Defender Department agree that the secretary of public safety would offer an important viewpoint to the sex offender management board since the Department of Public Safety plays a key role in the maintenance of the New Mexico sex offender registry.

TECHNICAL ISSUES

The Department of Public Safety suggests allowing a designee to represent the secretary on the board. However, existing law does not allow for a proxy or designee to represent any of the current membership, which includes the secretaries of corrections; health; and children, youth and families, as well as the attorney general.

EF/lg